

**ENTERED**

June 14, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MICHELS CORPORATION,

Plaintiff,

VS.

EMS USA, INC.,

Defendant.

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CIVIL ACTION NO. 4:16-CV-2340

**OPINION AND ORDER**

**ADOPTING MAGISTRATE JUDGE’S MEMORANDUM AND RECOMMENDATION**

Pending before the Court in the above-referenced proceeding is Movant Michels Corporation’s (“Michels”) Motion for an Award of Attorneys’ Fees and Costs, Doc. 25; and Judge Stacy’s Memorandum and Recommendation that the Court grant the Movant’s Motion for Attorneys’ Fees, Doc. 28. Defendant EMS USA, Inc. (“EMS”) did not respond to the Motion. Neither EMS nor Michels objected to the Memorandum and Recommendation. Thus, under Local Rule 7.4, the Motion and Memorandum and Recommendation are deemed unopposed.

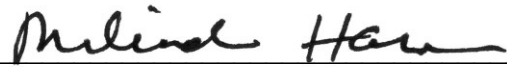
Upon review, the Court agrees with the Magistrate Judge’s conclusion that an attorney’s fees should be awarded, but paralegal fees are not sufficiently supported by this record. Doc. 3–4. Accordingly, the Court hereby

**ORDERS** that the Memorandum and Recommendation, Doc. 28, is **ADOPTED**. Michels Corporation’s Motion for an Award of Attorneys’ Fees and Costs, Doc. 25, is **GRANTED**. It is further **ORDERED** that

Michels Corporation should recover from EMS USA, Inc. \$30,810.15 in attorneys’ fees, and \$806.65 in costs.

Entry of this Order shall constitute entry of final judgment as to attorneys’ fees.

SIGNED at Houston, Texas, this 13th day of June, 2018.

A handwritten signature in black ink, appearing to read "Melinda Harmon", is written over a horizontal line.

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE